

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 KIMBERLY OREN,

5 Plaintiff,

6 v.

7 CAPITAL ONE BANK (USA), N.A.,

8 Defendant  
9

Case No. 3:19-cv-00212-APG-CBC

**ORDER CERTIFYING CASE TO  
UNITED STATES ATTORNEY  
GENERAL**

10 This case involves a constitutional challenge to a federal statute, specifically the  
11 Telephone Consumer Protection Act (TCPA), 47 U.S.C. § 227. *See* ECF No. 10. Pursuant to 28  
12 U.S.C. § 2403(a) and Federal Rule of Civil Procedure 5.1(b), I hereby certify to the Attorney  
13 General for the United States that the constitutionality of the TCPA, specifically 47 U.S.C. sec.  
14 227(b)(1)(A)(iii), has been called into question in this action. Pursuant to Rule 5.1(c), the  
15 Attorney General has 60 days from the date of this Order to intervene in this action, if it chooses  
16 to do so.

17 **IT IS THEREFORE ORDERED** that the Clerk of Court shall mail a copy of this Order  
18 to the Attorney General for the United States, via certified mail, return receipt requested, at each  
19 of the following addresses:

20 United States Department of Justice  
21 950 Pennsylvania Avenue, NW  
22 Washington, DC, 20530

23 United States Department of Justice  
24 Civil Division, Federal Programs Branch  
25 1100 L St. NW  
26 Washington, DC, 20530

27 DATED THIS 25th day of June, 2019.

28   
ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE